

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

PILOT ENERGY SOLUTIONS, L.L.C.,

Plaintiff,

v.

Civil Action No. 1:16-cv-00687-SS

OXY USA INC.,

Defendant.

**UNOPPOSED MOTION TO EXTEND TIME TO FILE
MOTION FOR ATTORNEYS' FEES**

Defendant Oxy USA Inc. (Oxy), by and through its undersigned counsel, submits the within Unopposed Motion for Extension of Time to File Motion for Attorneys' Fees.

1. On April 6, 2018, the Court signed the summary judgment order [#123] granting Defendant Oxy's Motion for Summary Judgment [#108].

2. Defendant Oxy intends to file a Motion for Attorneys' Fees (Motion) designating this case as "exceptional" pursuant to 35 U.S.C. §285 and seeking an award of its attorneys' fees incurred after the Court's claim construction order. In the Motion, Defendant will also seek recovery of its costs as the prevailing party pursuant to Fed. R. Civ. P. 54.

3. The deadline to file the Motion is April 20, 2018.

4. The parties are presently in settlement discussions to resolve the issues to be raised in the Motion.

5. Defendant Oxy, therefore, respectfully requests the Court extend the deadline for Defendant Oxy to file its Motion until May 4, 2018.

6. Counsel for Defendant Oxy has conferred with counsel for Plaintiff and can confirm that Plaintiff does not oppose Defendant's Oxy's request.

WHEREFORE, Defendant Oxy respectfully requests that this Court grant its Unopposed Motion for Extension of Time to File its Motion for Attorney's Fees, and enter an Order extending its deadline to file its Motion for Attorney's Fees to May 4, 2018. A proposed Order is attached.

Dated: April 20, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2018, I served a true and correct copy of the foregoing via the Court's CM/ECF system to:

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